

## **REMARKS**

### **I. INTRODUCTION**

Claims 1, 12, and 16-18 have been amended. Claims 3 and 15 have been cancelled. The drawings have been amended. The specification has been amended. Support for the amendments can be found at least at ¶ [0032] of the published application. Thus, claims 1, 2, 4-14 and 16-18 remain pending in the present application. No new matter has been added. In light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

### **II. THE DRAWING OBJECTIONS SHOULD BE WITHDRAWN**

The drawings stand objected to for failing to comply with 37 C.F.R. §§ 1.84(a), 1.121(d), and 1.83(a). Specifically, the Examiner objects to the use of reference character “14” in Fig. 3b because it refers to the same element as reference character “13” in Fig. 2b. The Examiner also objects Fig. 3a for lacking proper hatches for a cross sectional view. The Examiner objects to the drawings for failing to show the “plurality of receivers” in claim 15. In light of the amendments to the figures and claims and the cancellation of claim 15, the withdrawal of these objections is respectfully requested.

The drawing amendment to Fig. 2a submitted on May 4, 2009 stands objected to under 35 U.S.C. 132(a) for introducing new matter into the disclosure. The Examiner states that the receivers 15” are not supported by the original disclosure. Applicants respectfully disagree and direct the Examiner’s attention to ¶ [0024] of the originally filed disclosure. This paragraph explicitly states “the door module according to the invention, in particular for door modules of plastic *which comprise receivers for a window lifting mechanism*, loudspeakers or likewise has particular advantages in order, with this, to inexpensively provide a door inner trim and with a uniform gap dimension towards the door inner panel.” The receivers were already disclosed in the original disclosure. The only changes made in the May 4<sup>th</sup> amendment was the addition of reference character 15” after the word “receivers” in the cited portion of the specification

and the addition of element 15" in Fig. 2a. Therefore, the receivers 15" are, in fact, supported by the original disclosure. Applicants respectfully request the withdrawal of this objection.

**III. THE SPECIFICATION OBJECTION SHOULD BE WITHDRAWN**

The specification stands objected to due to informalities contained therein. In light of the amendments to the specification curing these informalities, the withdrawal of this objection is respectfully requested.

**IV. THE 35 U.S.C. § 112 REJECTION SHOULD BE WITHDRAWN**

Claims 1, 2, and 4-18 stand rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. Specifically, the Examiner the recitation of "contacting an edge of the opening" in claims 1, 12, and 16 makes it unclear if the subcombination of the module or the combination of the module and opening of the door is being claimed. Also, the second recitation of "a door inner trim" in claim 16, "an inner panel" in claim 17, and "a frame of the door" in claim 18 make it unclear if these are second instances of the limitation. In light of the amendments to the claims, Applicants respectfully request the withdrawal of this rejection.

**V. THE 35 U.S.C. § 102(b) REJECTION SHOULD BE WITHDRAWN**

Claims 1, 2, 4-7, 12, and 15-18 stand rejected under 35 U.S.C. § 102(b) for being anticipated by Koa et al. (U.S. Patent No. 6,412,852).

Claim 1 has been amended to recite, "A module for covering an opening in a motor vehicle door and for supporting a door inner trim, comprising: a base body including a base and at least one bracket movable with respect to the base, the bracket including a supporting surface contacting an edge region surrounding the opening, the bracket including at least one fixation point for fastening to the door inner trim, *wherein the supporting surface is fixed to the edge region by pressure.*"

Koa discloses a water, dust, and sound “attenuating barrier for positioning between the interior surface of a vehicle door exterior panel and the door interior trim panel.” (See Koa, Abstract). The barrier sheet (36) has an outer surface (37) that faces the exterior door panel (11). Koa discloses that to assemble the barrier sheet (36) onto the exterior door, “the outer face of the barrier sheet 36 is provided with a substantially continuous, pressure sensitive adhesive stripe or bead 45.” (See *Id.*, col. 6, ll. 4-6). The Examiner equates the outer surface (37) of Koa to the claimed supporting surface. (See 8/17/09 Office Action, p. 6). In contrast, claim 1 recites that “*the supporting surface is fixed to the edge region by pressure.*” Since an adhesive stripe or bead of Koa is not the same as the claimed fixing by pressure, then it is respectfully submitted that claim 1 is allowable over Koa. Because claims 2, 4-7, 12, and 15 depend on and, therefore, contain all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claim 16 recites limitations substantially similar to those of claim 1. Thus, Applicants respectfully submit that claim 16 and its dependent claims 17-18 are allowable over Koa for at least the foregoing reasons presented with regard to claim 1.

Claims 1, 2, 5-9, and 11-14 stand rejected under 35 U.S.C. §102(b) for being anticipated by Lau et al. (U.S. Patent No. 5,048,234).

Applicants respectfully submit that Lau also fails to disclose that *the supporting surface is fixed to the edge region by pressure.* In contrast, Lau discloses a module panel (24) that includes various door components. (See Lau, col. 2, ll. 28-36). Lau explains that the module panel is mounted onto the door inner panel (14) using “a plurality of energy absorbing devices 52, 54, 56, 58, and 60.” (See *Id.*, ll. 41-43, Fig. 1). The Examiner refers to these energy absorbing devices to meet the claimed bracket. (See 8/17/09 Office Action, p. 7). However, Lau explicitly discloses that these brackets are welded to the module panel (24) on one side and bolted at the other end to the inner panel 14. (See Lau, col. 2, ll. 43-47). It seems that, to meet the claimed supporting surface, the Examiner refers to the side (62) of the energy absorbing element (52) that is welded to

the module panel (24). Applicants respectfully submit that a welding is significantly different from a fixation by pressure. Therefore, it is respectfully submitted that claim 1 and its dependent claims 2, 5-9, and 11-14 are allowable over Lau.

**VI. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN**

Claim 10 stands rejected under 35 U.S.C. §103(a) for being obvious over Lau.

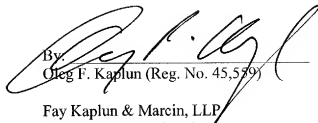
As previously stated, Lau fails to disclose or suggest “*the supporting surface is fixed to the edge region by pressure,*” as recited in claim 1. Therefore, Because claim 10 depends on and, therefore, contains all of the limitations of claim 1, it is respectfully submitted that claim 10 is allowable.

**CONCLUSION**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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By   
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Annotated Sheet

Fig. 3a

